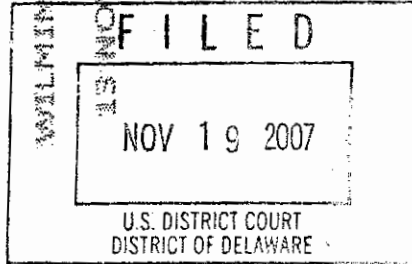


Office of the Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, Delaware 19801-3570

OFFICIAL BUSINESS

Cv. No. 07-245-SLR

U.S.M.S.
IX-PRAY



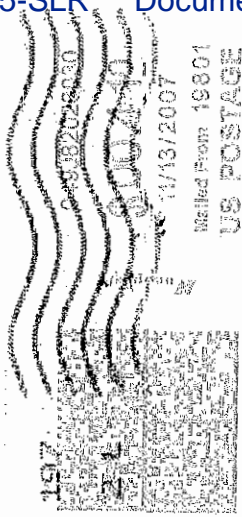
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U.S. DISTRICT COURT
DISTRICT OF DELAWARE



Rufus D. Anderson
110 North Poplar Street
New Castle, DE 19720

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RETURN TO SENDER
NO SUCH STREET
UNABLE TO FORWARD
EC: 19801357099 *1127-00761-14-00

110 North Poplar Street
New Castle, DE 19720

110 North Poplar Street
New Castle, DE 19720

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RUFUS D. ANDERSON,

Plaintiff,

v.

NURSE DIRECTOR GAIL ELLER,
MEDICAL DIRECTOR JOHN RUNDLE,
and BUREAU CHIEF PAUL HOWARD,

Defendants.

Civil Action No. 07-245-SLR

ORDER

WHEREAS, plaintiff, Rufus D. Anderson, was a prisoner incarcerated at the Delaware Correctional Center at the time he filed his complaint under 42 U.S.C. § 1983, along with an application to proceed without prepayment of fees pursuant to 28 U.S.C. § 1915;

WHEREAS, on May 16, 2007, this court entered an order granting leave to proceed in forma pauperis, and requiring plaintiff to pay the \$350.00 filing fee as determined by statute;

WHEREAS, on July 31, 2007, the court was notified that plaintiff is no longer incarcerated;

WHEREAS, under the Prison Litigation Reform Act, release does not eliminate the obligation of payment of a filing fee that could and should have been met from the trust account while imprisonment continued. Robbins v. Switzer, 104 F.3d 895, 899 (7th Cir. 1997); see also Drayer v. Attorney General, Nos. 03-2517, 03-2518, 81 Fed. Appx.

429 (3d Cir. 2003).

THEREFORE, at Wilmington this 9th day of November, 2007, IT IS HEREBY ORDERED that within thirty days from the date of this order, plaintiff shall either pay the filing fee owed (\$350.00) or submit a new standard form application to proceed without prepayment of fees and affidavit so the court may determine whether he is still eligible to proceed in forma pauperis.

NOTE: Failure to timely comply with this order shall result in dismissal of this case without prejudice.


UNITED STATES DISTRICT JUDGE

Other Orders/Judgments

1:07-cv-00245-SLR Anderson v. Eller et al

PaperDocuments

U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 11/13/2007 at 10:11 AM EST and filed on 11/13/2007

Case Name: Anderson v. Eller et al

Case Number: 1:07-cv-245

Filer:

Document Number: 10

Docket Text:

ORDER pltf. shall within 30 days pay the \$350.00 filing fee or submit a new appl. for IFP. FAILURE TO TIMELY COMPLY WITH THIS ORDER SHALL RESULT IN DISMISSAL OF THIS CASE WITHOUT PREJUDICE. Signed by Judge Sue L. Robinson on 11/9/07. (rlp)

1:07-cv-245 Notice has been electronically mailed to:

1:07-cv-245 Notice has been delivered by other means to:

Rufus D. Anderson
110 North Poplar Street
New Castle, DE 19720

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1079733196 [Date=11/13/2007] [FileNumber=474281-0]
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